



AF/IFW

IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

In re application of

DRYNKIN, Alexander V., et al.

Examiner: BRAHAN, Thomas J.

Serial No: 10/767,811

Art Unit: 3654

Filed: 29 January 2004

Atty Dkt.: 5092

For: AUTOMATED TUBE HANDLER SYSTEM

CERTIFICATE OF MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service as First Class mail in an envelope, postage prepaid, addressed to: COMMISSIONER FOR PATENTS, P.O. Box 1450, Alexandria, Virginia 22313-1450, on March 30, 2007 By Richard Esty Peterson

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COMMISSIONER FOR PATENTS
P.O. Box 1450
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Commissioner:

AMENDMENT UNDER 37 C.F.R. §1.116

Claims 2 - 16, 12 and 16 and 19 are pending in this application. All claims have been rejected. Applicant herein amends claim 2 to remove the 35 U.S.C. §112 rejection. Amendment to the claims are set forth in a separate section entitled AMENDMENT TO THE CLAIMS which is followed by a separate REMARKS section.

This amendment was not earlier presented because Applicant did not perceive of the ambiguity resulting from the previous amendment to claim 2 wherein the "two post supports wherein the cross beam spans the bed and platform and the two post supports engage the tracks and elevate the cross beam," which is apparently interpreted by the Examiner as an active event rather than a passive attribute.

Entry of the amendment is requested to place the application in better form for appeal.